

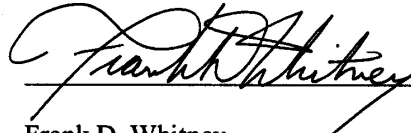
After a careful review of the record, the Court finds that the magistrate judge's findings and

recommendations are neither clearly erroneous nor inconsistent with governing law. Thus, the Court hereby accepts the M&R of Magistrate Judge Cayer and adopts it as the final decision of this Court for all purposes relating to this case.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Summary Judgment (Doc. No. 8) be DENIED and Defendant's Motion for Summary Judgment (Doc. No. 10) be GRANTED.

IT IS SO ORDERED.

Signed: August 12, 2009

  
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Frank D. Whitney  
United States District Judge

